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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/994,476	11/26/2001	Ari Juels	RSA-502AUS	7236

7590 05/13/2005

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EXAMINER

WILLIAMS, JEFFERY L

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 05/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/994,476

Applicant(s)

JUELS ET AL.

Examiner

Jeffery Williams

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-45 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 29 – 34 and 35 – 37; drawn to systems usable for generating order-invariant fuzzy commitments, are classified in class 713, subclass 202.
- II. Claims 1 – 16, 17, 18, 19 – 28, 38 – 39, 40, 41 – 42, 43 – 44, and 45; are drawn to specific methods for creating order-invariant fuzzy commitments with the utilization of error correction coding, classified in class 713, subclass 186.

Inventions I and II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the combination (I) does not require the specific method of generating an order-invariant fuzzy commitment, including the limitations of generating code words utilizing error correcting coding and the construction of sequences of coordinate sets. The subcombination has separate utility such that the specific methods for generating an order invariant fuzzy commitment may be utilized by generic systems. For example, the subcombination may be used in

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1 a generic system that did not require the specifics of the combination for using and
2 storing keys for authentication. Also the subcombination may be used in a generic
3 system that did not require biometric scanners for receiving the biometric information
4 from users, instead the system could receive biometric information from analyzing or
5 accessing files or records.

6 Because these inventions are distinct for the reasons given above and have
7 acquired a separate status in the art as shown by their different classification, restriction
8 for examination purposes as indicated is proper.

9
10
11 ***Conclusion***

12
13 A shortened statutory period for reply is set to expire 1 month (not less than 30
14 days) from the mailing date of this communication.

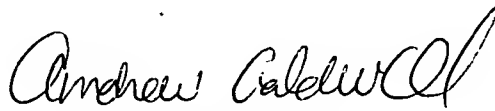
15
16 Any inquiry concerning this communication or earlier communications from the
17 examiner should be directed to Jeffery Williams whose telephone number is (571) 272-
18 7965. The examiner can normally be reached on 8:30-5:00.

19 If attempts to reach the examiner by telephone are unsuccessful, the examiner's
20 supervisor, Andrew Caldwell can be reached on (571) 272-3868. The fax phone
21 number for the organization where this application or proceeding is assigned is 703-
22 872-9306.

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1 Information regarding the status of an application may be obtained from the
2 Patent Application Information Retrieval (PAIR) system. Status information for
3 published applications may be obtained from either Private PAIR or Public PAIR.
4 Status information for unpublished applications is available through Private PAIR only.
5 For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should
6 you have questions on access to the Private PAIR system, contact the Electronic
7 Business Center (EBC) at 866-217-9197 (toll-free).

8
9
10 Jeffery Williams
11 571.272.7965
12 5.6.2005
13


ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER